

Helena Moreno  
Councilmember, At-Large  
1300 Perdido Street, Suite 2W40  
New Orleans, LA 70112

Re: Ordinance 32,626 (“remediation of unauthorized encampments”)

Dear Councilmember Moreno:



PO Box 56157  
New Orleans, LA 70156  
504-522-0617  
laaclu.org

Alanah Odoms Hebert  
*Executive Director*

I write to echo the concern of many civil rights organizations with proposed Ordinance No. 32,626, governing “remediation of unauthorized encampments on public property, including the removal and storage of personal property, cleaning, and outreach[.]” We believe that some aspects of the proposed ordinance will tend to criminalize homelessness and will not promote humane treatment of homeless persons.

Specifically, we believe the 24-hour notice provision in draft Section 82-696(d) is insufficient to inform homeless persons of anticipated remediation efforts, including the removal and storage of personal property. We suggest that giving additional time would be more equitable and appropriate—72 hours’ notice would provide adequate notice and give affected persons a meaningful opportunity to remove their property and relocate.

Providing only 24 hours’ notice may result in a much greater deprivation of personal property, which could be devastating to the owner of that property, even if that deprivation is temporary. Although the proposed measure ensures that the seized property will be stored at a location “reasonably accessible by public transportation,” such access may be impractical, difficult, or impossible for the affected persons.

In other words, the proposed measure may result in permanent storage of seized items, and permanent deprivation for the property’s owner. Providing greater notice is a better solution for the City and the homeless community.

Moreover, although the proposed ordinance does not specifically discuss the role of law enforcement in “remediation” efforts, it is clear that such efforts will involve police officers and arrests of homeless persons (for example, Section 82-704(b)(b) explicitly references NOPD, and Section 82-704(b)(e) references arrests).

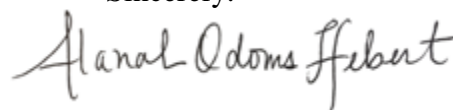
Enforcement of the proposed ordinance will likely lead to increased arrests of homeless persons, which will criminalize homelessness. It benefits no one to tax our overburdened criminal justice system with homeless persons, especially if their apparent crime is the mere status of being homeless. Moreover, at a time when New Orleans has successfully worked to reduce incarceration, we urge the council uphold the underlying core values of compassion and humanity by ensuring this ordinance has safeguards against unnecessary incarceration and criminalization.

We hope the City will consider adopting the best practices suggested by the National Law Center on Homelessness and Poverty, even if it means delaying the vote on this ordinance. This issue is far too important to rush because it will affect the personal, property, and dignity rights of our cities most vulnerable

populations. If we truly seek to be a great city, we will not get there with callous treatment of the poor, disfavored, and disregarded.

In the words of Dr. Martin Luther King, “[n]o individual or nation can be great if it does not have a concern for ‘the least of these.’”

Sincerely.

A handwritten signature in dark ink that reads "Alanah Odoms Hebert". The script is fluid and cursive, with the first name "Alanah" being more prominent.

Alanah Odoms Hebert  
Executive Director



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